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7 **Attorneys for Defendant**

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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11

12 JAMES BATES et al acting for themselves and  
 13 others similarly situated,

14 Plaintiffs,  
 15 v.  
 16 COUNTY OF SANTA CRUZ,  
 17 Defendant.

18

Case No. CV 08 0557 SC

19

20 **STIPULATION TO TRANSFER CIVIL  
 ACTION TO SAN JOSE DIVISION;  
 [PROPOSED] ORDER**

21

22 **STIPULATION**

23 This civil action was originally filed in the San Francisco Division of the United States  
 24 District Court, Northern District of California.

25 The parties agree that the San Francisco Division is not the proper division for this  
 26 assignment. Northern District Court Local Civil Rule (“Rule”) No. 3-2(e) provides that all civil  
 27 actions that arise in the County of Santa Cruz shall be assigned to the San Jose Division. Rule No.  
 28 3-2(c) states that a civil action arises in the county in which a substantial part of the events or  
 omissions which give rise to the claim occurred. All of the events and omissions alleged in this

1 action occurred in the County of Santa Cruz. Accordingly, the parties stipulate that this action has  
2 not been assigned to the proper division and should be transferred to the San Jose Division  
3

4 Dated: February 25, 2008 DANA McRAE, COUNTY COUNSEL

5 By: \_\_\_\_\_/S/  
6 BETSY L. ALLEN  
7 Assistant County Counsel  
8 **Attorneys for Defendants**

9  
10 Dated: February 20, 2008 MASTAGNI HOLSTEDT AMICK MILLER  
11 JOHNSEN & UHRHAMMER

12 By: \_\_\_\_\_/S/  
13 JAMES R. TRABER  
14 **Attorneys for Plaintiff**

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16  
17 **ORDER**

18 For good cause shown as set forth above, the Court hereby orders that this action be  
19 transferred to the San Jose Division of the Northern District of California.  
20

21 **IT IS SO ORDERED.**

22 Dated: \_\_\_\_\_

23  
24 HON. SAMUEL CONTI  
25 United States District Court Judge  
26  
27  
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